

SUMMARY OF PROPOSED HNC ELECTION CODE (2013) AMENDMENTS

Below are the substantive proposed election code amendments:

✓ **Section 67 - Electoral Officer Oath of Office**

○ Current

The Electoral Officer must swear an oath to uphold the office in accordance with this code.

○ Recommended

The Electoral Officer must swear an oath to uphold the office in accordance with this code, in the form prescribed and appended to this Code.

○ Rationale

The form does not presently exist.

✓ **Section 69 – Provision of Elector Address to Electoral Officer**

○ Current

The Haisla Band Membership Clerk shall, no later than 79 days prior to the date on which the election is to be held, provide the Electoral Officer with the last known addresses, if any, of all Electors.

○ Recommended

Upon the appointment of the Electoral Officer the Haisla Nation Membership Clerk, or designate, shall provide the list of eligible voting members to the Electoral Officer, and shall provide assistance and support throughout the election to the Electoral Officer as needed to ensure both a current and accurate Electors List.

○ Rationale

Time is of the essence in creating a proper voters list.

✓ **Section 76 – Preparation of Electors List by Electoral Officer**

○ Current

At least 79 days before the day on which an election is to be held, the Electoral Officer shall prepare an Electors list containing the names of all of the Electors in alphabetical order.

○ Recommended

At least 90 days before the day on which an election is to be held, the Electoral Officer shall prepare an Electors list containing the names of all of the Electors in alphabetical order.

○ Rationale

Aligns timeline with balance of Election Code.

✓ **Section 77 – Posting of Electors List by Electoral Officer**

○ Current

The Electoral Officer shall post the Electors list in a public area of the band administration building, on the www.haisla.ca website, or in other conspicuous places

as may be determined by the Electoral Officer, no later than 72 days prior to the date on which the election is to be held.

- Recommended

The Electoral Officer shall post the Electors list in a public area of the band administration building, on Haisla Nation media , or in other conspicuous places as may be determined by the Electoral Officer, no later than 72 days prior to the date on which the election is to be held.

- Rationale

Less prescriptive and allows for evolving technologies and media to be utilized.

✓ **Section 91 – Remove Reference to Newspaper Company**

- Current

The Electoral Officer shall, at least 30 days before the date on which the nomination meeting is to be held, post a notice of nomination meeting in at least one conspicuous place in Kitamaat Village. Notice of nomination meeting will also be posted on "www.haisla.ca" and posted in the local newspaper "The Northern Sentinel"

- Recommended

The Electoral Officer shall, at least 45 days before the date on which the nomination meeting is to be held ensure that the notice of nomination meeting is posted in a public area of the Haisla Nation administration building, on Haisla Nation media and at least one local newspaper.

- Rationale

Less prescriptive (what if Northern Sentinel newspaper ceases to exist?) and creates expanded timeline for this process.

✓ **Section 92 – Nomination Meeting Notice**

- Current

The Electoral Officer shall, at least 30 days before the date on which the nomination meeting is to be held, mail a notice of the nomination meeting and an Elector declaration form to every Elector who is considered a Non-Local Resident.

- Recommended

The Electoral Officer shall, at least 45 days before the date on which the nomination meeting is to be held mail the following to every Elector:

- (a) Notice of Nomination Meeting
- (b) Nomination by Mail Form with Instructions
- (c) Elector Declaration Form

- Rationale

Aligns timelines and provides for **ALL** members regardless of residency to receive the initial voting event notice via the mail.

✓ **Section 112 – Nominee/Candidate Requirements**

- Current

All nominees must file the documents required under section Section 111 and Section

113 with the Electoral Officer by mail, facsimile transmission or in person within 10 days of the date on which the nomination meeting was held.

- Recommended

All nominees must file the documents required under Section 111 and Section 113 with the Electoral Officer by mail, facsimile transmission or in person within 10 days of the date on which the nomination meeting was held. It is the responsibility of those nominating and seconding to ensure their nominee is aware of all candidacy requirements in this Code.

- Rationale

Affirm that it is the Nominees responsibility to ensure they have completed all requirements, not the electoral officer.

✓ **Section 133 – Mail In Ballot Requests**

- Current

An Elector who wishes to obtain a mail-in voting package must complete and sign a request to vote by mail-in ballot and return it to the Electoral Officer along with proof of identity. If the Electoral Officer is in receipt of an Elector's request to vote by mail-in ballot and proof of identity at least 10 days before the day on which the election is to be held, then the Electoral Officer shall between 35 days and 10 days before the day on which the election is to be held mail or otherwise deliver a mail-in ballot package to the elector who so requests consisting of...

- Recommended

Every non-resident, for whom a residential mail address has been provided, shall automatically be sent a mail in ballot voting package. Any resident Elector who wishes to obtain a mail-in voting package must complete and sign a request to vote by mail-in ballot and return it to the Electoral Officer along with proof of identity at least 10 days before the day on which the election is to be held. Each mail-in ballot package to the elector who so requests shall consist of...

- Rationale

Removes requirement to request a mail in ballot voting package for non-resident electors (sent automatically to **ALL** non-resident members).

✓ **Section – Electronic Voting (New)**

- Current

Does Not Exist

- Recommended (full language to be formatted in the Code)

- Any Elector may cast a vote by electronic voting.
- Electronic voting shall be confidential and by secret ballot.
- Haisla Nation Council may make regulations specific to electronic voting.
- An Elector who has voted electronically shall not be permitted to vote in person, or by mail in ballot. Conversely, an elector who has voted in person or by mail in ballot shall not be able to vote electronically.

- Rationale

Stated desire by members and leadership to incorporate electronic voting into future voting events for Leadership and major decision making.

All other proposed changes within the existing code are grammatical, correct code references to other sections, or clarify language in terms of timing, process or other requirements consistent with the Code.

Additional information, documents and feedback tools will also be available throughout the entire process directly from this website:

<https://onefeather.ca/nations/haisla>